



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

#35
1 of 3

Applicant(s): Teruhisa Kamachi et al.
Appl. No.: 08/939,064
Filed: September 29, 1997
Title: IMAGE DISPLAY PROCESSING APPARATUS, AN IMAGE DISPLAY
PROCESSING METHOD, AND AN INFORMATION PROVIDING MEDIUM
Art Unit: 2174
Examiner: Thomas T. Nguyen
Docket No.: 112857-111

Assistant Commissioner for Patents
Washington D.C. 20231

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APPELLANTS' REPLY BRIEF

Sir:

The present reply brief is in response to the Examiner's answer mailed December 18, 2002. Applicants maintain their position that the claims pending in the application are allowable over the cited references because U.S. Patent No. 5,771,042 (Santos-Gomez) and U.S. Patent No. 5,621,904 (Elliott et al.) are not properly combinable under 35 U.S.C. §103. Not only is there no teaching or suggestion within the references themselves or within the general knowledge of the skilled in the art for making the suggested combination, the references themselves teach away from making such a combination. The two references teach in exactly opposite directions regarding at least two of the features of the invention.

Santos-Gomez teaches a multi-size control for multiple adjacent workspaces. According to Santos-Gomez multiple workspaces (windows) are displayed by a display device. The workspaces may be manipulated by a "drag and drop" method which is well known in the art, to reposition the workspaces on the display. A "snap region" is defined along the outer edges of the workspaces such that if the edge of one workspace is moved within the snap region of another workspace, i.e. two workspaces are placed in close proximity to one another, one or the other or both of the workspaces are "snapped together" or moved immediately adjacent one another with any space therebetween removed. Furthermore, a "single size control separator" is provided for simultaneously controlling the relative heights and widths of workspaces that have been snapped together. This feature is best seen in Santos-Gomez Figs. 3 and 6.

Elliott et al. on the other teach a method and apparatus for avoiding overlapped windows and a gutter space. According to Elliott et al. prior to displaying a daughter window which is opened in conjunction with a parent window a calculation is made to determine whether there is enough room on the display to display the daughter window to the side of or above or below the parent window, without overlapping and thereby obscuring the information displayed in the parent window. If so, the daughter window is displayed in the corresponding space beside, above or below the parent window. Furthermore, according to Elliott et al., a minimum spacing between the daughter window and the parent window may be maintained by calculating an additional "gutter space" to be included between the parent window and the daughter window. In this case the daughter window is displayed to the side of or above or below the parent window only if there is room for the daughter window plus the designated minimum gutter space. Furthermore, regardless of the position where the daughter window is displayed, the dimensions of the daughter window remain independent of the dimensions of the parent window.

Thus, Santos-Gomez teaches bringing workspaces together when moved to a position of near adjacency, with the dimensions of the workspaces losing their independence from one another. Elliott et al. on the other hand, teach displaying a daughter window some minimal distance apart from the parent window if possible. According to Elliott et al. the dimensions of the daughter window and the parent window remain independent. The operations described in these two references are exact opposites of one another. One of ordinary skill in the art would not have been inclined to combine two such contradictory references.

In the "Response to Argument" section of the Examiner's answer, the Examiner apparently misconstrues the teaching and purpose of Elliott et al.'s disclosure. According to the Examiner "the whole intention of Elliott is to move the child window close to the parent window with minimum space (gutter g) between the two windows to avoid overlap". However, it is clear from Elliott et al.'s specification that the gutter "g" is the minimum distance apart that the two windows are to be displayed. It is clear Elliott et al.'s intent is to display the windows apart from one another. The Examiner is reading the gutter as providing as small a space between the parent window and daughter window as possible. But this reading simply does not comport with the teaching of the specification. Instead, the gutter actually defines a minimum spacing, i.e. the least allowable space between the two windows in order to avoid overlap. If the two windows are further apart there is no problem, however, if they are closer than this minimum the screen

will look crowded. Where Santos-Gomez teaches moving workspaces together, Elliott et al. teach displaying the windows apart. Thus, Elliott et al. and Santos-Gomez do in fact teach in opposite directions and may not be properly combined to reject the present claims under 35 U.S.C. § 103.

Accordingly, Applicants respectfully request the Board to reverse the Examiner and allow the claims to issue.

Respectfully submitted,

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